

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Sonya Wright  
 Group : 1614  
 Applicants : Michael R. Hale et al.  
 Serial No. : 09/591,464  
 Filed : June 9, 2000  
 For : INHIBITORS OF ASPARTYL PROTEASE

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New York, New York  
 May 17, 2001

Hon. Commissioner  
 for Patents  
 Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. §§ 1.56 AND 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b),  
 applicants, through their representatives, make of record  
 the following documents:

United States Patents

Mohrs et al.	3,743,722	issued July 3, 1973
Descamps et al.	4,330,542	issued May 18, 1982
Ryono et al.	4,629,724	issued December 16, 1986
Martin et al.	5,196,438	issued March 23, 1993
Kempf et al.	5,354,866	issued October 11, 1994
Talley et al.	5,622,949	issued April 22, 1997
Tung et al.	5,723,490	issued March 3, 1998
Vazquez et al.	5,744,481	issued April 28, 1998
Vazquez et al.	5,843,946	issued December 1, 1998

European Patent Applications

0 022 118      published January 7, 1981

0 181 071	published March 14, 1986
0 264 795	published April 27, 1988
0 346 847	published December 20, 1989
0 364 804	published April 25, 1990
0 434 365	published June 26, 1991
0 468 641	published January 29, 1992
0 486 948	published May 27, 1992
0 541 168	published May 12, 1993
0 594 540	published April 27, 1994

#### German Patent Application

DE 3542567	published June 5, 1986
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#### Great Britain Patent Application

2,167,759	published June 4, 1986
2,200,115	published July 27, 1988

#### PCT International Patent Applications

WO 90/07329	published July 12, 1990
WO 91/00725	published January 24, 1991
WO 91/18866	published December 12, 1991
WO 92/08688	published May 29, 1992
WO 92/08698	published May 29, 1992
WO 92/08699	published May 29, 1992
WO 92/08700	published May 29, 1992
WO 92/08701	published May 29, 1992
WO 92/17176	published October 15, 1992
WO 93/23368	published November 25, 1993
WO 93/23388	published November 25, 1993
WO 93/23379	published November 25, 1993
WO 94/04491	published March 3, 1994
WO 94/04492	published March 3, 1994
WO 94/04493	published March 3, 1994
WO 94/05639	published March 17, 1994
WO 94/10134	published May 11, 1994
WO 94/10136	published May 11, 1994
WO 94/18192	published August 18, 1994
WO 94/19322	published September 1, 1994
WO 95/06030	published March 2, 1995
WO 95/07269	published March 16, 1995
WO 95/09843	published April 13, 1995
WO 95/14016	published May 26, 1995
WO 95/32185	published November 30, 1995

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JP 59046252	published March 15, 1984
JP 59048449	published March 19, 1984
JP 61071830	published April 12, 1986

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M. Popvic et al., "Detection, Isolation, and Continuous Production of Cytopathic Retroviruses (HTLV-III) from Patients with AIDS and Pre-AIDS", Science, 224, pp. 497-500 (1984).

M.D. Power et al., "Nucleotide Sequence of SRV-1, a Type D Simian Acquired Immune Deficiency Syndrome Retrovirus", Science, 231, pp. 1567-73 (1986).

N.A. Roberts, "Rational Design of Peptide-Based HIV Proteinase Inhibitors", Science, 248, pp. 358-61 (1990).

S. Scharpe et al., "Proteases and Their Inhibitors: Today and Tomorrow", Biochimie, 73, pp. 121-26 (1991).

S.K. Sharma et al., "Could Angiotensin I Be Produced from a Renin Substrate by the HIV-1 Protease?", Anal. Biochem., 198, pp. 363-67 (1991).

S. Yamaguchi et al., "Synthesis of HIV Protease Dipeptide Inhibitors and Prodrugs", Peptide Chemistry 1996, pp. 297-300 (1997).

None of the above-cited documents, made of record by applicants herein, renders unpatentable, either alone or in any combination thereof, the pending claims of this application.

Applicants request that this Statement and these documents be made of record in this application.

Applicants respectfully request that the documents listed above be (1) fully considered by the Examiner during the course of examination of this application and (2) printed on any patent issuing from this application. Applicants also request that the Examiner forward the enclosed

duplicate copy of Form PTO-1449, duly acknowledged and initialed by the Examiner, to the undersigned with the next Communication.

This Statement is submitted more than three months from the application filing date but before the mailing date of a first Office Action on the merits. In accordance with 37 C.F.R. § 1.97(b)(3), submission of this Statement requires no fee. However, if for any reason a fee is due, the Director is hereby authorized to charge payment of any fees required in connection with this Statement to Deposit Account No. 06-1075. A duplicate copy of this Statement is transmitted herewith.

Respectfully submitted,



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